

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

JUDGE GWIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZIAIRE DUFFY,

Defendant.

INDICTMENT

CASE NO.

1:18 CR 541

Title 18, Sections 922(g)(1), 924(d)(1) and 2, United States Code; Title 21, Sections 841(a)(1), (b)(1)(A), (b)(1)(B), (b)(1)(C) and 853, United States Code; Title 28, Section 2461(c), United States Code

COUNT 1

(Possession with the Intent to Distribute Cocaine, in violation of
21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury charges:

1. On or about March 19, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute approximately 6.31 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

FILED

SEP 18 2018

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

COUNT 2

(Possession with the Intent to Distribute Controlled Substances, in violation of
21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

2. On or about March 19, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute approximately 1.68 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, fentanyl, a Schedule II controlled substance, and cyclopropyl fentanyl, a Schedule I controlled substance, and a fentanyl analogue, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 3

(Possession with the Intent to Distribute Controlled Substances, in violation of
21 U.S.C. §§ 841(a)(1) and (b)(1)(A))

The Grand Jury further charges:

3. On or about March 21, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute approximately 150.6 grams of a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and cyclopropyl fentanyl, a Schedule I controlled substance, and a fentanyl analogue, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

COUNT 4

(Possession with the Intent to Distribute Para-Fluoroisobutyryl Fentanyl, in violation of
21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

4. On or about March 21, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute

approximately 1.36 grams of a mixture or substance containing a detectable amount of para-fluoroisobutryl fentanyl, a Schedule I controlled substance, and a fentanyl analogue, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 5

(Possession with the Intent to Distribute Heroin, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

5. On or about March 21, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute approximately 3.17 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 6

(Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. § 922(g)(1))

The Grand Jury further charges:

6. On or about March 21, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY, having been previously convicted of crimes punishable by imprisonment for a term exceeding one year, those being: Trafficking in Cocaine, a felony in the 4th degree, in Case Number 13CR088424, in the Lorain County Common Pleas Court, on or about July 14, 2015; Trafficking in Cocaine and Possession of Cocaine, felonies in the 3rd degree, in Case Number 14CR089520, in the Lorain County Common Pleas Court, on or about July 14, 2015; Possession of Cocaine, a felony in the 4th degree, in Case Number 14CR089912, in the Lorain County Common Pleas Court, on or about July 14, 2015; and Failure to Comply and Illegal Conveyance of Drugs of Abuse, felonies of the 3rd degree, in Case Number 15CR091286, in the Lorain County Common Pleas Court, on or about July 14, 2015, did

knowingly possess in and affecting interstate commerce a firearm, to wit: a Ruger SR40, .40 caliber semi-automatic pistol, bearing serial number 342-72534, and 7 rounds of ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 7

(Possession with the Intent to Distribute Controlled Substances, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B) and 18 U.S.C. § 2)

The Grand Jury further charges:

7. On or about May 18, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute approximately 19 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, fentanyl, a Schedule II controlled substance, n-methyl norfentanyl, a Schedule I controlled substance, and a fentanyl analogue in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 8

(Possession with the Intent to Distribute Cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2)

The Grand Jury further charges:

8. On or about May 18, 2018, in the Northern District of Ohio, Eastern Division, Defendant ZIAIRE DUFFY did knowingly and intentionally possess with the intent to distribute approximately 22.9 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

FORFEITURE

The Grand Jury further charges:

9. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), the allegations of Counts 1 through 8 are incorporated herein by reference. As a result of the foregoing offenses, Defendant ZIAIRE DUFFY shall forfeit to the United States any and all property constituting, or derived from, any proceeds he obtained, directly or indirectly, as the result of such violations; any and all of his property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations; and any and all property (including firearms and ammunition) involved in or used in the commission of such violations.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.